

ARTICLE 56

Sec. 21-56 DEVELOPMENT REVIEW PERMIT.

- 56.1 Development review permit:** Development review permits, revocable, and conditional may be issued for any of the uses or purposes for which said permits are required or permitted by the terms of this Chapter. The Development Review Committee (Committee) may impose such conditions as they deem necessary to secure the purposes of this Chapter, Code, or other County standards, and may require tangible guarantees or evidence that such conditions are being, or will be, complied with. Development review shall include, but not be limited to, a review of the following: Traffic and circulation, building arrangement, setbacks, walls and fences, noise emissions and control measures, off-street parking, grading, drainage, landscaping, lighting, signs, public services and utilities, development and performance standards and the interrelationships of these elements. The development review permit is a ministerial permit. (Ord. No. 1749, 7/7/1988)
- 56.2 Applicability:** A development review permit shall be required as follows except as provided in Subsections (c) and (d) (Ord. No. 1749, 7/7/1988):
- (a) Any use, structure or sign requiring a development review permit as specifically provided in the applicable zoning district regulations of this Chapter or as provided in [Article 45](#).
 - (b) Any use requiring a development review permit as specifically required by the Zoning Administrator, Planning Commission or Board of Supervisors as a condition of approval of any permit.
 - (c) The Planning Director shall waive the submission of or the requirement for a development review permit if the Director finds that 1) all the purposes of development review have been fulfilled by the approval of any other permit required by this Chapter; or 2) the project involves only interior alterations not materially changing the character of the use of the property; 3) the project involves only minor exterior alterations not materially changing the character of the use of the property, or 4) the use is proposed in an existing building and is listed as a permitted use in the zoning district in which it is located. (Ord. No. 2172, 8/12/1993)
 - (d) A development review permit is hereby waived whenever a design review permit is required by this Chapter. (Ord. No. 1749, 7/7/1988)
- 56.3 Application:** The development review permit application shall be accompanied by any applicable fee in an amount to be set by the Board of Supervisors, and plans showing the details of the proposed use to be made of the land or building, and any other pertinent information required by the Planning Department as provided in [Article 55](#). (Ord. No. 1749, 7/7/1988)

56.4 Public hearing and notice:

- (a) No public hearing is required. However, public comment may be accepted and reviewed by the Committee.
- (b) The Review Authority for development review permits is the Committee.
- (c) The Planning Director may cause notice to be given on any application as provided in [Sections 57.2 or 57.3](#).

56.5 Findings required for approval: (Ord. No. 1749, 7/7/1988)

The Review Authority shall only approve or conditionally approve a development review permit if all of the following findings are made: **(Ord. No. 1749, 7/7/1988)**

- (a) That the proposed use is a permitted use in the district where located. **(Ord. No. 1749, 7/7/1988)**
- (b) That the site for the project is adequate in size, shape, location, and physical characteristics to accommodate the type of use and level of development proposed. **(Ord. No. 1749, 7/7/1988)**
- (c) That there are adequate public or private services, including but not limited to fire protection, water supply, and sewage disposal. **(Ord. No. 1749, 7/7/1988)**
- (d) That the project is in conformance with the applicable provisions and policies of this Chapter, the Lake County General Plan and any approved zoning or land use study or plan. **(Ord. No. 1749, 7/7/1988)**
- (e) That the streets, highways and pedestrian facilities are reasonably adequate to safely accommodate the specific proposed use. **(Ord. No. 2128, 1/14/1993)**
- (f) That no violation of Chapters 5, 17, 21, 23 or 26 of the Lake County Code currently exists on the property, unless the purpose of the permit is to correct the violation, or the permit relates to a portion of the property which is sufficiently separate and apart from the portion of the property in violation so as not to be affected by the violation from a public health, safety or general welfare basis. **(Ord. No. 2128, 1/14/1993)**

56.6 Permit issuance and appeal period:

- (a) Upon completion of review of a development review permit the Development Review Committee shall either:
 - 1. Make such findings as are required by Section 56.5 and approve the application; or
 - 2. Notify the applicant of those changes and modifications required for approval of the application; or

3. Deny the application if the Development Review Committee finds that:
 - i. The application cannot be conditioned by adequate requirements to insure compliance with applicable regulations, or
 - ii. The application cannot reasonably be modified to conform to the applicable regulations.
- (b) Development review permits shall be effective upon issuance, unless within seven (7) calendar days of a decision by the Committee, the decision is appealed as provided for in Section 56.7. In case an appeal is filed, the development review permit shall not have any force or effect until a decision is made by the Review Authority on such appeal.
- (c) Development review permits shall not have any force or effect until the permittee acknowledges receipt thereof and has agreed in writing to each and every term and condition thereof.

56.7 Appeals:

- (a) A decision of the Development Review Committee on a development review permit application may be appealed to the Planning Commission in accordance with the provisions of [Section 58.20](#) et seq. of this Chapter.
- (b) A decision of the Planning Commission on a development review permit application may be appealed to the Board of Supervisors in accordance with the provisions of [Section 58.30](#) et seq. of this Chapter.

56.8 Expiration: All development review permits shall have an expiration period(s) as provided in [Article 60](#).

56.9 Revocation: Development review permits may be revoked in the manner and for the reasons as provided in [Section 60.10](#).

SEC. 21-56.10 ESTABLISHMENT OF DEVELOPMENT REVIEW COMMITTEE

56.11 Establishment:

- (a) There is hereby created a Development Review Committee (Committee). The Committee shall consist of the Planning Director or designee, the Senior Planner or equivalent, and a representative from the Building Inspection, Public Works and Environmental Health Departments. The Planning Director may request a representative from any city or community in the County for review and comment on an application within the sphere-of-influence of their city or community. (Ord. No. 2128, 1/14/1993)

- (b) The Planning Director or designee shall act as Chairperson of the Committee.
- (c) A quorum of the Committee shall consist of three (3) members; one shall be the Planning Director or designee.
- (d) All meetings of the Committee shall be open to the public.
- (e) The Board of Supervisors may also appoint two (2) members to the Development Review Committee for each community where an area or specific plan has been adopted who shall be members for consideration of design review permits located within the area or specific plan they represent. **(Ord. No. 1897, 12/7/1989; Ord. No. 1974, 12/20/1990)**

56.12 Responsibility of the Development Review Committee:

- (a) The Committee shall be the Review Authority for all development review and design review permits required or permitted by this Chapter and shall be responsible for such other duties as specified in this Chapter or by the Board of Supervisors. **(Ord. No. 1749, 7/7/1988)**
- (b) The Committee may at the request of the Planning Director conduct pre-application review of projects referred to the Committee by the Planning Director.
- (c) The Committee shall meet the first, second, third and fourth Wednesday of every month, beginning at 2:00 p.m., in the Planning Department of the Lake County Courthouse, Lakeport, California, to review and receive public comment on applications for development review and design review permits. An agenda of applications to be considered by the Committee shall be posted at the Planning Department prior to the public meeting. **(Ord. No. 1749, 7/7/1988)**